

RECEIVED

APR 19 2001

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTERIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#7

Applicant(s): Anderson, Stuart L.
Assignee: Cymer, Inc.
Title: Control Circuit with Automatic DC Offset
Serial No.: 09/241,319 Filing Date: 02/01/99
Examiner: Rodriguez, Armando Group Art Unit: 2877
Docket No.: M-4732-1C US

TERMINAL DISCLAIMER

APPROVED

San Jose, California

COMMISSIONER FOR PATENTS
Washington, D. C. 20231

APR 19 2001
J. Macpherson
TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

**TERMINAL DISCLAIMER TO OBVIATE A
DOUBLE PATENTING REJECTION OVER A PATENT**

Sir:

Petitioner, Cymer, Inc., a Nevada corporation having a place of business at 16750 Via Del Campo Court, San Diego, California 92127-1712 is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 5,867,514. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

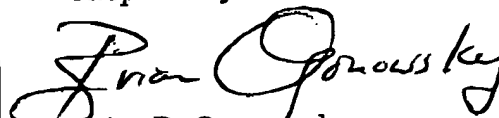
statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In compliance with 37 C.F.R. §1.20(d), the commissioner is authorized to charge the fee of \$110.00 to Deposit Account No. 19-2386 for this Terminal Disclaimer as set forth in the enclosed transmittal letter.

The undersigned represents that he/she is authorized to sign on behalf of Petitioner.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, Washington, D.C. 20231, on <u>4/19</u> , 2001.	
<u>B. J.</u> Attorney for Applicant(s)	<u>4/19/01</u> Date of Signature

Respectfully submitted,



Brian D. Ogonsky
Attorney for Applicant(s)
Reg. No. 31,988

SKJERVEN
MORRILL
MACPHERSON LLP

FACSIMILE COVER SHEET

25 Metro Drive, Suite 700 • San Jose, California 95110 • Telephone: (408) 453-9200 • Fax: (408) 453-7979

Date: 4/19/01
To: Armando Rodriguez
Group 2877

Fax Telephone #: 703-308-7721

Office Telephone #:

From: Brian Ogonowsky
Subject: 09/241, 319
Client/File:

Date Sent:	
Time Sent:	
Fax Operator:	

This transmittal consists of 3 page(s), including this cover sheet.

Message:

See attached terminal disclaimer.

If you do not receive all pages, please call (408) 453-9200.

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.